

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

WAYNE ALAN COBB,

Plaintiff,

v.

ELFORD, INC.,

Defendant.

Case No. 2:23-cv-1399  
JUDGE EDMUND A. SARGUS, JR.  
Magistrate Judge Elizabeth Preston  
Deavers

**ORDER**

This matter is before the Court on Plaintiff's Second Amended Complaint. In light of Plaintiff's Second Amended Complaint, Defendant's Motion for Judgment on the Pleadings (ECF No. 22) and Plaintiff's Motion for Partial Summary Judgment on Defendant's Affirmative Defenses (ECF No. 25) are **DENIED without prejudice as moot**. These prior motions concerned Plaintiff's First Amended Complaint (ECF No. 8) and Defendant's Answer (ECF No. 15), both of which have since been superseded by Plaintiff's Second Amended Complaint. Should the Parties wish to make similar arguments in subsequent motions regarding the operative Second Amended Complaint, they may do so.

This case remains open.

**IT IS SO ORDERED.**

6/24/2024  
DATE

s/Edmund A. Sargus, Jr.  
EDMUND A. SARGUS, JR.  
UNITED STATES DISTRICT JUDGE